

## **REMARKS**

Claims 5, 12, 18, 24, 29, and 35 have been amended. Claims 1-39 remain pending in the captioned case. Reconsideration of the presently claimed application is respectfully requested.

### **Allowable Subject Matter**

Applicants appreciate the Examiner's indication that claims 1-4 are allowed. Applicants agree that the combination of Kondo and Tarlow do not suggest a recordable, releasibly secured product label which can be repetitively and reusable recorded. Moreover, Applicants agree that Dittakavi does not teach a voice recorder capable of recording a voice input and playing it back as a vocal message corresponding to a bar-coded label.

### **Section 251 Rejection**

The Examiner has maintained the rejection of claims 5-39 under 35 U.S.C. § 251. It appears the Examiner maintains the argument that "the claims must contain the words 'wherein said recording means comprises a voice recorder capable of recording said vocal message as telephone quality voice input.'" (Final Office Action -- pg. 3.) With respect to a "bar code label," it appears the Examiner considers a "bar code signal" produced by a bar code reader sufficient to supplant the need for each claim to contain a bar code label. (Final Office Action -- pg. 3.) As such, each of the independent claims contain a bar code signal and, therefore, the independent claims need not contain any reference to a bar code label. Accordingly, the only remaining issue on recapture is the "voice recorder."

In order to overcome the recapture rejection, Applicants hereby insert the Examiner's suggested voice recorder language into each of the independent claims. That language being identical to the language placed into previous claim 22 in Amendment A filed August 22, 1994.

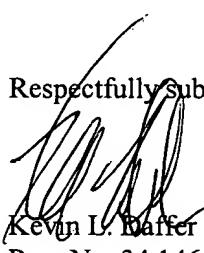
The final Office Action also mentions that "telephone quality" voice input is defined in the present specification to be the same as "non-synthesized" audio signal. Thus, the insertion of "non-synthesized" into claims 18, 24, and 35 appears to be the same as "telephone quality" in claims 5, 12, and 29. Therefore, Applicant believes the use of "non-synthesized" is acceptable to the Examiner. As set forth in the present specification, telephone quality voice and non-synthesized audio represents a recognizable voice of a person or persons whose voice (or vocal message) was recorded. The manufacturer of a product can therefore record a recognizable voice as telephone quality input that can later be retrieved by a user. *See Decision on Appeal by the Board of Patent Appeals and Interferences*, mailed July 31, 1997, pages 8-9.

### CONCLUSION

This response constitutes a complete response to all issues raised in the final Office Action mailed April 15, 2003. In view of the amendments and remarks addressing the rejections, Applicants assert that pending claims 1-39 are in condition for allowance. If the Examiner has any questions, comments or suggestions, the undersigned attorney earnestly requests a telephone conference.

No fees are required for filing this amendment; however, the Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment, to Conley Rose, P.C. Deposit Account No. 03-2769/5007-00700.

Respectfully submitted,



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